



South Tyneside Council

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Severe Weather Emergency Protocol (SWEP)

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Background

The Ministry for Housing, Communities and Local Government (MHCLG) continues to seek to end rough sleeping and build upon the work done to reduce rough sleeping during the pandemic via the 'everyone in' campaign and published the [ending rough sleeping for good](#) strategy in September 2022 to drive forward their commitment.

The latest national data published by government for rough sleeping found that in September 2024, 9,079 people were estimated to be sleeping rough over the month and was up 8% since September 2023 and up 9% compared to June 2024. Of these:

- 33% were new people sleeping rough
- 34% were people who had been sleeping rough long term
- 14% were people returning to sleeping rough and of these, 30% of people had moved into settled accommodation in the previous year
- 8% of people sleeping rough had recently left an institution and of these, 56% had recently left prison and 18% had recently left asylum support services.
- 2.3 times more people sleep rough over the month compared to on a single night.

There were 4,008 people estimated to be sleeping rough on a single night in September 2024, which is 3% higher than the 2023 annual snapshot figure.

Rough sleeping is increasing across the majority of local authorities in England (53%).

Government have introduced legislation to improve the quality of housing stock and empowerment to tenants with the [Social Housing \(Regulation\) Act 2023](#), and the [Supported Housing \(Regulatory Oversight\) Act 2023](#). The government have continued to seek improvements to security of tenure within the Private Rented Sector, the major change being the abolishment of Section 21 (known as 'No Fault Notice') and quality of accommodation within the private rented sector via the [Renters' Rights Bill](#). It is hoped that this will help with sustainment of tenancies and prevention of homelessness.

Local Authorities continue to work with partners and the government to do what they can to continue the work to end rough sleeping.

There is an acknowledgement that there is far more demand than supply for safe, secure, and affordable accommodation and South Tyneside Council continues to build upon current local initiatives including the Rough Sleeper Accommodation Programme, to identify suitable accommodation for those seeking homelessness assistance.

Nationally, regionally and across the local area there continues to be a rise in homelessness, and we have provided a summary of homelessness levels below:

Table.1 - South Tyneside Council Homeless Data

Period	Homeless Presentations	Advice and Guidance cases	Prevention cases	Relief Cases
2020/2021	2,745	1,095	364	451
2021/2022	2,459	1,206	378	380
2022/2023	3,112	1,223	343	416
2023/2024	3,097	1,392	346	500

(Source: South Tyneside Council)

Table.2 - North-East H-CLIC Data

Period	Homeless Assessment	Homeless Duty Owed	Prevention cases	Relief cases
2020/2021	15,370	14,790	7,180	7,600
2021/2022	16,630	16,150	9,070	7,080
2022/2023	19,570	18,380	10,160	8,220
2023/2024	21,620	20,020	9,250	10,770

(Source: MHCLG, Live Tables on Homelessness)

Table.3 - England H-CLIC Data

Period	Homeless Assessment	Homeless Duty Owed	Prevention cases	Relief cases
2020/2021	284,330	270,560	119,890	150,670
2021/2022	290,180	278,110	133,450	144,670
2022/2023	324,650	300,910	141,970	158,940
2023/2024	358,370	324,990	146,430	178,560

(Source: MHCLG, Live Tables on Homelessness)

Introduction

There are no current legal protections for people sleeping rough during severe weather and no statutory duty to provide shelter unless a person is considered homeless and in priority need of assistance, even when weather conditions can be considered life threatening.

There is a humanitarian obligation on all local authorities to do all that they can to prevent deaths on the streets caused by severe weather. This includes the cold, but also conditions such as high wind and heavy rain and periods of hot weather where temperatures exceed 25 degrees. The aim of the Severe Weather Emergency Protocol (SWEPEP) is to ensure that there is an appropriate response available for people sleeping rough throughout the year during severe weather.

The annual South Tyneside rough sleeper survey that is undertaken between 1 October – 30 November of each year with a wide range of stakeholders and partners has historically shown that the number of people who experience rough sleeping in the borough is small, but this is an estimate only providing a snapshot of the situation on the identified typical night. This figure is not reflective of the actual

picture, which is increasing significantly, and South Tyneside Council continues to seek a more accurate picture of the rough sleepers in the borough and the barriers and challenges present preventing them from securing both short- and long-term accommodation. Commissioned outreach services continue to identify and work with rough sleepers or those at risk of rough sleeping in the borough. The current rough sleeper data is shown below:

Table.4 - South Tyneside Rough Sleeper figures (data source South Tyneside RSAG):

	Q4 2023/24	Q1 2024/25	Q2 2024/25	Q3 2024/25	Q4 2024/25
People sleeping rough	24	38	23		
Times found	50	82	52		

(Source: South Tyneside Council, Strategic Housing)

Purpose of the Protocol

This protocol sets out the arrangements that South Tyneside Council will put in place to minimise the risk of serious harm or death for someone sleeping rough on the streets in the borough during severe weather.

The Council will take prompt action to ensure that all people sleeping rough have access to appropriate support or shelter where necessary during periods of severe weather.

What is ‘Severe Weather’?

There is no strict definition of classifying ‘severe weather’ for accommodation so for the purposes of this protocol we have adopted the definition used by Homeless Link as:

“...any conditions that increase the risk of harm to people sleeping rough can be classed as severe. This includes extreme cold, wind, snow, rain and even heat.”

The full definitions of these are set out in [Appendix 1](#).

In addition to the risks associated with severe weather, consideration should be given to the actions that people may take to shelter from it. Unsafe shelters such as large, lidded bins, and illegal entry to empty or derelict buildings may be used.

Some people may increase their substance use to cope with the bad weather; this in turn can impact on their health, decision making ability, and behaviour towards and interaction with others.

Provision

For the period of the SWEP protocol, accommodation will be arranged **during office hours** via the Housing Options Team for anyone found to be rough sleeping or presenting as roofless and can be contacted on 0300 123 6633.

Outside of office hours the Out of Hours Team will be available to accommodate anyone found to be rough sleeping or presenting as roofless and can be reached on 0300 123 6633.

The housing options team will inform the out of hours team of availability of supported accommodation, hotels, or temporary accommodation availability, which can be utilised during this period.

Activation of the SWEP

South Tyneside Councils, Housing Strategy Team will monitor weather forecasts provided by the [Met Office](#) and will activate SWEP where the predicted 'feels like' temperature drops to life threatening levels or if the weather is deemed extreme and life threatening due to other factors (as set out in [Appendix 1](#)).

SWEP may be activated at any time where the weather conditions dictate this course of action. Any additional weather forecast alerts provided, such as those by the UK Health Security Agency will also be considered as necessary.

The severe heat SWEP provision will be activated during warmer weather conditions where water and sun cream will be provided at designated 'welcoming spaces', especially where temperatures are forecast to exceed 25 degrees (Celsius) for more than three consecutive days. Accommodation will not be provided during this period unless there are extreme exceptional circumstances.

Notification to partners

Once the decision to activate SWEP has been made the Housing Strategy Team will notify key partners and accommodation providers, where possible the Housing Strategy Team will also notify the Rough Sleeper Action Group members.

During the activation period, anyone requiring accommodation during office hours will approach the Housing Options Team via the contact methods provided earlier.

General

Due to the current pressures on accommodation within the South Tyneside area, there may be occasions where we cannot accommodate people within the borough due to availability and some occasions where people may have to be placed in accommodation further away.

During SWEP periods anyone who is street homeless without any accommodation will be provided accommodation regardless of priority need, intentionality. Those

without a local connection, as defined by the Housing Act 1996, Part 7, will be assisted to return to their area in the first instance.

If an individual loses accommodation provided to them due to violent behaviour or present a risk to others, we may not be able to provide alternative accommodation. Every effort will be made to source another placement, and this will be assessed on an individual basis, should the need arise.

To reduce the risk of losing the accommodation, care will be taken to ensure that those being placed are assessed to ensure that it is as appropriate to their needs, where possible. Individuals will also be encouraged to engage with support services who can support them during the period, they are housed in SWEP accommodation and assist with their move on options to longer term rehousing.

Provision

Referrals into SWEP provision will be authorised by the Housing Options Team or Out of Hour's Service.

Those in need of the provision may present at services that work with people who are at risk of or who are homeless. In these instances, the service provider must contact the Housing Options Team who will confirm if a place can be offered.

For anyone presenting outside of office hours the service will be contacted by the Council's Out of Hour's Service to confirm if a place can be offered.

Verifying that an individual is rough sleeping, ensures that those most in need of the provision receive access but this verification should not delay or prevent them from accessing the provision.

Housing Options will update the Rough Sleeper Action Group (RSAG) with details of the individuals who are accommodated via the SWEP protocol so that they can be picked up and discussed via that group should they be at risk of further periods of rough sleeping.

Referral Update

When placed out of hours, the service provision named contact will update the Housing Options Team the next working day (this will be around 9.30am) on the expected referrals, and who was and was not accommodated.

Anyone accommodated in the service should present to the Housing Options Team the next working day to enable an assessment of need to be carried out and, if appropriate:

- Accept a homeless application and carry out investigations to determine local authority duty towards the individual.
- Provide temporary accommodation whilst investigations are carried out on the homeless application and a decision reached.

- Refer to partners for supported housing.
- Reconnect to their home area if the individual wishes to return, and it is safe to do so.

Individuals should always be encouraged to accept the support that is available, but this will not be a condition of them being able to access the service.

If any referral does not present for the service, then the Housing Options Officer who confirmed the placement should make every effort to contact the individual to establish their current housing status and a triage created so the person can be contacted. If the individual cannot be contacted, then the Housing Options Team should make the Outreach Team aware of where the person claimed to be rough sleeping so that this can be investigated further.

Eligibility Criteria

SWEP operates outside of the usual eligibility and entitlement frameworks that govern access to housing. The Council will not apply Part VII Housing Act 1996 criteria (as amended by the Homelessness Act 2002) when deciding to assist a person sleeping rough during the SWEP activation period.

This means that the individual concerned is not required in this case to demonstrate eligibility for assistance, including access to public funds, priority need, intentionality, or a local connection. The individual concerned must only:

- Be at risk if they continue to sleep rough during the period of severe weather.
- Have nowhere to sleep indoors during the period of severe weather (this does not include cars, sheds, garages etc.); and
- Agree to assistance offered by the Council and/or its partners.

Severe weather increases the risk of death or serious harm to people who sleep rough. Many entrenched rough sleepers may be resistant to services and may be less likely to engage. This should not prevent them from being able to access the SWEP provision.

Accommodation

To accommodate people during the SWEP period South Tyneside Council will seek to place people in the following types of accommodation (subject to availability):

- Supported Accommodation- with commissioned services
- Other schemes specialising in rough sleepers or homelessness
- B&B and Hotel Rooms via booking arrangement or Houses of Multiple Accommodation (HMO) these could have en-suite or shared facilities and may or may not offer support for those with complex needs.
- The council's own temporary accommodation.

Careful consideration will be taken to ensure that appropriate accommodation is sourced.

Review of Provision

Due to limited accommodation available there may be a need to move the individual to more than one accommodation during the SWEP period as hotels and B&Bs may not be able to accommodate the individual for the full period.

If the person is engaged with a Housing Options Officer, then work should actively take place by both parties to resolve the homelessness and find more permanent or longer-term accommodation so that they can 'move on'.

If any incidents of anti-social behaviour or unacceptable behaviour occur during the time the service is provided, a review of the individual being accommodated will take place. This will include consideration to alternative methods to prevent rough sleeping during the severe weather whilst managing the risks, where possible.

Financial Implications

The cost of the SWEP provision will be primarily met through the budgets held by South Tyneside Council and funding provided to carry out its statutory homeless functions. This may be supplemented with grant funding received from the Ministry for Housing, Communities and Local Government (MHCLG) and where possible the council may seek funding via housing benefit, such as in temporary accommodation.

Monitoring and Review

The Strategic Housing Team will:

- Record when the SWEP protocol has been activated and deactivated
- Inform Housing Operations and Out of Hours Service
- Notify accommodation providers, and key partners

The Housing Options Team / Out of Hours Service will record the following information to monitor the extent of rough sleeping within South Tyneside:

- Number and composition of rough sleeper households. This will include name, age, gender, nationality, last settled address, how long been sleeping rough, previous contact with services, where they intend to move onto when they leave and any primary support needs;
- Number of nights each rough sleeper accommodated.
- Verified rough sleeper.
- Number of previous contacts the rough sleeper has had with services.
- Where move on was to; and

- Any cost for emergency accommodation per night for each household.
- Provide this information to the Housing Strategy Team following completion of each period of SWEPP activation.

The Housing Strategy Team will work with relevant partners to review the SWEPP on an annual basis to ensure that:

- The needs of the rough sleeper are met during periods of severe weather; and
- Government priorities are reflected.
- Lobby government for appropriate resources to respond to rough sleeping and winter pressures in the borough, providing evidence-based feedback.

Reporting rough sleeping

If you have seen or suspect someone is sleeping rough it can be reported 24 hours a day via Street Link by visiting www.streetlink.org.uk. This information is then forwarded to the outreach and Housing Options Service to investigate and verify the referral.

Alerts can also be made to the councils Housing Strategy Team and Housing Options Team on the details in the 'Contact Information' section below.

Contact Information

Housing Options Team: 0300 123 6633,
Monday-Thursday 9am-5pm and Friday 9am to 4.30pm,
housing.options@southtyneside.gov.uk

Out of Hours Service: 0300 123 6633

Housing Strategy Team: 0191 427 7000,
housing.strategyteam@southtyneside.gov.uk

Appendix 1: Definitions

Cold: extreme cold can cause serious health problems and death for those who are exposed overnight or for long periods of time. Historically, SWEP provision was triggered when the forecast was zero degrees or below for three days. It is now best practice to take a common-sense approach, where any forecast approaching zero is predicted; the impact of rain, snow and wind chill are considered; and the 'feels like' temperature is checked, along with conditions underfoot (e.g., ice). There are benefits to opening provision for temperatures that are above freezing as this can be just as harmful, and for maintaining this provision over longer periods. These benefits are discussed throughout the guidance.

Wind: high winds can lead to an increased risk of injury through falling walls, roofing, uprooted trees, debris from buildings or walls that people may be sheltering in or against. This should also be considered where people are sleeping in tents.

Rain: heavy or sudden prolonged rain can lead to flooding and landslides. People sleeping under bridges, on riverbanks or near the sea, streams or canals may be particularly at risk, but there may be less obvious flood risks, for example, drains or gullies. Standing water, puddles and flooding may continue to be a risk after rainfall has stopped. As well as increased risk of drowning, being stuck in the rain and being unable to change out of wet clothes/shoes afterwards can lead to a range of health problems, including trench-foot. There is also an increased risk of loss or damage to belongings such as identification documents.

Heatwaves: People experiencing homelessness are at a heightened risk of developing heat-related illnesses due their inability to keep cool (owing to a lack of shelter) and reduced access to showers and drinking water. In their 'Dying Homeless Project' 12, The Museum of Homelessness found that there were actually higher numbers of deaths of individuals in the summer, despite the common belief that more people die in the winter months. Needs are likely to be more urgent during daylight hours, so a different approach to SWEP may be needed.

Violent Behaviour: we define 'violent behaviour' as any actions carried out by one person to another that cause physical or verbal harm to others. This includes any form of physical assault, use of offensive weapons, verbal abuse and treats of harm, whether or not they are actually carried out.

Risk to others: we have defined 'risk to others' as any known behaviours of an individual that presents a greater risk of harm or violence to any other person or group of persons for any reason. This can include but is not limited to threats of violence, racist ideologies, gender and religious discrimination.

Appendix 2: Revisions Log

Date	Comments	Version
15 November 2024	Draft	1
06 December 2024	Final, published	1